

**RESPONSE TO REQUEST FOR INFORMATION  
OF  
PUERTO RICO INDUSTRIAL DEVELOPMENT COMPANY ("PRIDCO")  
  
CIDRA GROUND WATER CONTAMINATION SITE  
CIDRA, PUERTO RICO**

**Introductory Statement**

Based on the information contained in PRIDCO's files and elsewhere upon which this response to the EPA Request for Information has been developed, a visit to the Site, conversations with knowledgeable individuals, as well as the review PRIDCO conducted of EPA's files and other documents in connection with its preparation of such response, it is apparent that PRIDCO is not a potentially responsible party ("PRP") for the conditions at the Site and should not be included in action of any variety to be taken by EPA relative to potential liability at the Site.

As a result, PRIDCO contests EPA's belief, set forth in its letter dated April 25, 2006, that "as a current owner or operator of a portion of the Site," PRIDCO is a PRP pursuant to Section 107(a) of the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"). The information which representatives of PRIDCO have reviewed leads to a far different conclusion, that PRIDCO should *not* be considered a PRP for the Site.

The foregoing conclusion is founded upon the absence of any evidence that PRIDCO is:

- (1) the owner or operator of a "facility," as that term is defined in Section 101(9)(B) of CERCLA, in that the hazardous substances which are of concern at the Site were never "deposited, stored, disposed of, or placed, or otherwise come to be located" on property currently owned by PRIDCO, except with respect to the potential migration of contaminants of concern onto PRIDCO's land from non-PRIDCO-owned properties; or
- (2) an owner or operator of a facility at the time when hazardous substances which are of concern at the Site were disposed of at a PRIDCO-owned facility.

PRIDCO points to the following factors in support of its position:

- PRIDCO sold the majority of the parcels in the Cidra Industrial Park as vacant land, i.e., before any operations were conducted there or before facilities were even constructed
- PRIDCO currently owns only five parcels in the Cidra Industrial Park, two of which are small remnants of other parcels and are (and always have been) unoccupied
- Of the remaining three parcels which PRIDCO currently owns – and leases – in the Cidra Industrial Park:

- Neither the property on which DJ Manufacturing operates nor the property on which Shellfoam Products operates is regarded by EPA as a PRP, according to the Expanded Site Inspection/Remedial Investigation Report (September 2003) ("ESI") and the Hazard Ranking System Documentation Package (December 2003) ("HRS")
- The only current tenant of PRIDCO's named by EPA as "a possible source" is CCL Label de Puerto Rico, and the HRS states about its parcel, "There were no concentrations detected above background in any of the samples collected from this site which can be related to the contamination found in the wells . . ."
- The evidence developed by EPA and presented in the ESI and the HRS demonstrates that:
  - With two exceptions, the potential sources of Site contamination within the Cidra Industrial Park are facilities which began operations subsequent to the time PRIDCO sold the land as vacant – one exception involved PRIDCO's sale of Lots 18 and 19 to Waters Puerto Rico, Inc. in 1983, prior to the time that Zenith Laboratories Caribe began operations on those parcels – the other exception is discussed in detail in the response which follows, and as to that parcel, no evidence exists of releases or discharges of contaminants of concern during the time of PRIDCO's ownership
  - The strong likelihood is that sources of contamination at the Site are outside of the Cidra Industrial Park

In sum, to the extent that PRIDCO is "a current owner or operator of a portion of the Site," PRIDCO-owned property is not the source of the contamination but, rather, the victim of impacts caused by releases or discharges of contaminants of concern at properties owned by others, not by PRIDCO.

**Question 1:** If Jorge P. Silva Puras is not the Chief Executive Officer or other presiding officer of PRIDCO, please identify such person. Please also confirm the mailing address of that officer.

**PRIDCO Response:** Jorge P. Silva Puras is no longer with PRIDCO. Boris Jaskille is the Executive Director of PRIDCO currently. His mailing address is: Puerto Rico Industrial Development Company, P.O. 362350, San Juan, Puerto Rico, 00936-2350.

**Question 2:** What is the nature of the business conducted by PRIDCO?

**PRIDCO Response:** PRIDCO was established as a public corporation and a governmental instrumentality of the Commonwealth of Puerto Rico for the purpose of promoting the development of the economy of Puerto Rico by stimulating the formation of new local firms and

encouraging firms in the United States and foreign countries to establish and expand operations in Puerto Rico.

A description of PRIDCO's current role is as follows:

- To accomplish its mission, PRIDCO maintains a continuing infrastructure development program, including facilities for lease or sale to qualified private industrial and commercial investors, and the construction of industrial and commercial facilities for lease. In addition, PRIDCO disburses legislative appropriations in accordance with various special incentives programs to assist manufacturers in offsetting allowable start-up costs. The basic purpose underlying PRIDCO's supporting role to Puerto Rico's economic development program is the creation of jobs and the consequent improvement of living standards in Puerto Rico. In order to conduct its legislatively-created authority, PRIDCO has the power, among other things, to acquire, own, sell and lease property, all for the purpose of assisting and enhancing Puerto Rico's economy.
- PRIDCO does not operate any manufacturing or other industrial facility. PRIDCO only owns the land and constructs the buildings to be used by its tenants. As a result, PRIDCO does not generate any hazardous substances or hazardous wastes. As noted above, it is simply a passive landowner, which leases property it owns to commercial and industrial entities for economic development purposes.

**Question 3:** Please state the date or dates that PRIDCO acquired the land that now makes up the Cidra Industrial Park? Please provide all relevant deeds documenting such acquisition.

**PRIDCO Response:** The Cidra Industrial Park property covers an area of approximately 44.6 "cuerdas," which were acquired by the Commonwealth of Puerto Rico by expropriation on separate dates. On September 1, 1965, the initial acquisition, consisting of 13.7275 "cuerdas," was made by the Commonwealth of Puerto Rico. On December 19, 1968, 10.3818 "cuerdas" of the initial acquisition of 13.7275 "cuerdas" were transferred to PRIDCO. On June 2, 1970, the other 3.3457 "cuerdas" were transferred to PRIDCO.

The remaining 30.8510 "cuerdas" were acquired by the Commonwealth of Puerto Rico and transferred to PRIDCO between June 4, 1974 to April 1, 1982. Available deeds and other related documents are included in Appendix A.

**Question 4:** When was the Cidra Industrial Park created?

**PRIDCO Response:** The Cidra Industrial Park was developed in three stages. The first stage consisted of the development of Lots 1 to 7, construction of



which started on March 1, 1967 and ended on July 28, 1967. The second stage began in approximately 1981-1982 and included the development of Lots 8, 9, 10, 13, 14 and 22. This second stage also included earth-moving activities for Lots 16, 17, 18, 19, 20 and 21. The third stage, which began on January 25, 1982, included the construction of the access road for the lots developed during the second stage.

**Question 5:** Please identify all parcels within the Cidra Industrial Park that are currently owned by PRIDCO. For those parcels not owned by PRIDCO, please identify the current owner(s).

**PRIDCO Response:** The parcels currently owned by PRIDCO are shown in the table included as Appendix B. That table shows that there are only three occupied lots which are now owned by PRIDCO. PRIDCO does not know the current owners of parcels within the Cidra Industrial Park which are not currently owned by PRIDCO. However, PRIDCO's technical consultant has visited the Cidra Industrial Park for, among other purposes, attempting to identify the users of parcels not currently owned by PRIDCO. The information gathered by PRIDCO's technical consultant is also presented in Appendix B.

**Question 6:** Please identify all parcels within the Cidra Industrial Park that have been bought or sold by PRIDCO. Please include the name of the buyer of each parcel and provide copies of such deeds for each transaction.

**PRIDCO Response:** With respect to parcels acquired by PRIDCO, please refer to the response to Question 3. Those parcels sold by PRIDCO within the Cidra Industrial Park are presented in the table included as Appendix C. Copies of available deeds are included in Appendix D.

**Question 7:** Please provide all maps, plans and/or drawings of buildings located in the Cidra Industrial Park, beginning from construction of such buildings, to the present.

**PRIDCO Response:** The materials in PRIDCO's possession that are responsive to this question are included in Appendix E.

**Question 8:** Please identify all entities that have ever leased property within the Cidra Industrial Park. Please state the dates of such leases and identify the premises that were leased. Please include copies of all relevant leases or other operating permits relating to the Cidra Industrial Park.

**PRIDCO Response:** The information which PRIDCO possesses regarding entities that have leased property within the Cidra Industrial Park and the dates of such leases is presented in the table included as



Appendix F. Copies of available leases are included in Appendix G.

**Question 9:**

For each tenant identified, please describe in detail the manufacturing processes and any other operations conducted by each tenant at the Cidra Industrial Park. If those operations were not constant throughout such operations, describe the nature of all changes in operations and state the year of each change. As part of your answer to this question, also identify the types of materials (including hazardous substances) used, the products manufactured, processed or otherwise handled, and what hazardous wastes or industrial wastes were generated during and after the operating process. In addition, please describe how and where all wastes have been disposed of throughout the period of operations.

**PRIDCO Response:** PRIDCO has reviewed files in an effort to respond to the various categories of information requested by Question 9. To the extent that any such information has been located, PRIDCO is providing it in the response below. Where categories requested by Question 9 are not provided in PRIDCO's response, such omission reflects that the information was not available at the time of PRIDCO's review.

**Tenant:**

**Porche Sportswear**

- Dedicated to the manufacturing, washing, coloring and pumice rock processing of jeans.
- The jeans went through a pre-washing process to give the cloth a used appearance. The pieces were treated with detergents, pumice rock and with a hot hypochlorite solution in a closed tank. Then the pieces were washed and were treated with an anti-chlorine agent and sodium bisulfate to eliminate the residual chlorine. Then the pieces were treated with an ammonium solution and distyryl biphenyl to shine and smooth the cloth.
- Raw materials included detergents, sodium hypochlorite, sodium bisulfate, distyryl biphenyl, ammonium solutions and dyes.
- The process waters were discharged into a sedimentation tank that was used as a settling tank and then into the PRASA system. The tank was taken out of service and backfilled but not in accordance with the Puerto Rico Environmental Quality Board ("EQB") UIC regulations. Soil sampling activities were conducted at the area where the sedimentation tank was located. Three soil borings and 1 background boring were drilled, and samples were collected at one-foot intervals up to 3 feet deep. Samples were analyzed for RCRA ignitability, corrosivity, reactivity and RCRA metals. None of the samples showed any of the RCRA characteristics analyzed.

- As part of the process, air emissions were generated that created a complaint from the nearby residences related to chlorine or bleach emissions. The industry had an air permit for a boiler and two dryers. The washing process and the settling tank produced air emissions that were not covered by the permits, and the EQB imposed a fine of \$1,000. The fine was paid by the industry.
- The industry submitted a renewal request for its air permit, but closed operations before processing of the permit.
- In September 1989 PRIDCO's environmental office conducted an inspection of the Porche Sportswear parcel, and did not identify any environmental concerns.
- Porche Sportswear was not classified as a RCRA generator.

**Tenant:**      **Productos Mi Viejo, Inc.**

- Manufacturing of frozen food (plantains and jams)
- In July 1992 PRIDCO's environmental office conducted an inspection of the Productos Mi Viejo, Inc. parcel, and did not identify any environmental concerns.
- Productos Mi Viejo, Inc. was not classified as a RCRA generator.

**Tenant:**      **CCL Labels de P.R., Inc.**

- Dedicated to the manufacturing of labels
- According to the environmental database maintained by Environmental Data Resources Inc. ("EDR") for zip code 00739 (Cidra) dated August 2, 2006, this facility is listed as a NFRAP in the CERCLIS. Also, it is listed as a small quantity generator of hazardous wastes with ID: PRR000008565. Several violations of hazardous waste generator general requirements are listed in the EDR report, for which the company has achieved compliance.

**Tenant:**      **Meyers and Son Mfg.**

- Clothes manufacturing
- Meyers and Son Mfg. was not classified as a RCRA generator.

**Tenant:**      **Carmen García Inc.**

- Brassiere manufacturing

**Tenant:**      **Warnaco Men's Sportswear Inc.**

- Manufacturing of wool coats and sweaters

- According to PRIDCO's inspection, Warnaco was not classified as a hazardous waste generator.
- On November 17, 1992, PRIDCO informed Warnaco, which occupied Buildings T-0879-0-68 and S-0757-0-66, that an electrical substation and a shack with ACM panels were located in the S-0757-0-66 building and required testing of the substation's PCB content. The company tested the transformers and obtained a PCB concentration of <15 ppm.
- On May 27, 1992 and in August 1993 (after Warnaco ceased operations), PRIDCO's environmental office conducted an evaluation of the property on which Building T-0879-0-68 is situated, and did not identify any issues of environmental concern.
- In February 1993, PRIDCO's environmental office conducted an evaluation of Building S-0757-0-66 after Warnaco ceased operations, and did not identify any issues of environmental concern.

**Tenant:**      **Puritan Caribbean Inc.**

- According to PRIDCO's inspection, Puritan Caribbean was not classified as a hazardous waste generator.

**Tenant:**      **Bongo Plastics**

- Plastic products manufacturing
- Bongo Plastics' manufacturing process consisted of melting polystyrene resin in an extruder, which in turn fed the product to a Thermoformer. The Thermoformer reheated, formed and trimmed the product. The packaging equipment rolled over lips of the cups for consumer protection, and placed the cups into printed plastic bags.
- Raw materials included polystyrene resin, bulk and polybags and boxes.
- The facility only generated sanitary wastewaters.
- The facility did not generate any hazardous wastes, and solvents were not listed as materials used in the process or as part of maintenance.

**Tenant:**      **DJ Manufacturing**

- Manufacturing of military clothes and accessories



**Tenant:**      **Beresford Shoe Company Inc.**

- Manufacturing of shoes

**Tenant:**      **Rosan Industries Inc.**

- Manufacturing of women's socks

**Tenant:**      **Shellfoam Products Inc.**

- Shellfoam manufactures foamed polystyrene packaging. The types of packaging were molded, fabricated and vacuum formed sheets.
- Based on information submitted by Shellfoam in October 1990, the manufacturing process consists of the expansion of polystyrene beads and storage for 8 to 24 hours. Then the product is sent through duct work to a press, where it is molded with steam. High impact polystyrene (HIPs) is fed in sheet form through the machine, where it is heated and then formed over a plug with vacuum.
- No industrial effluents were generated.
- Raw materials which were used include: expanded polystyrene and HIPs.
- No hazardous wastes or chemical wastes were generated.
- On May 8, 1992, Enid Villegas of the EQB Superfund PA/SI program requested access to review the Shellfoam Products file at PRIDCO.
- The file documents a fuel product spill for which PRIDCO required sampling from Shellfoam. No sampling data were available in the file. The spill apparently occurred in the late 1980's. The spill was related to vehicles stored at the lot adjacent to the building. This lot had been rented by Shellfoam to Cidra Transport without PRIDCO's authorization. Cidra Transport sub-leased a portion of such property to a hardware store for the storage of sand and gravel.
- On November 5, 1989, PRIDCO conducted an evaluation of the site, determined the possibility that soils were impacted with chemical compounds, and requested from Shellfoam an analysis of the soil condition. The sampling plan submitted by Shellfoam for the soil sampling included the collection of 8 soil samples from two areas (two soil borings per area and the collection of two samples per boring, one superficial and another at 4-6 inches). The samples were analyzed for RCRA hazardous waste

characteristics, ignitability, reactivity, corrosivity, and EP Toxicity for metals and Total Organic Halides.

- On June 26 1991, Pedro Jose Rivera of PRIDCO sent a memo to Jose Fraguada of PRIDCO with the results of an inspection of the Shellfoam facility. The inspection indicated that the issue of the rental to Cidra Transport was still active and that Cidra Transport had not left the site.
- Shellfoam had an air emission permit from the EQB, NO. PFE-21-0783-0538-11-0.
- According to the environmental database maintained by EDR for zip code 00739 (Cidra) dated August 2, 2006, this facility is listed on the underground storage tank list as having submitted a closure notification.

**Tenant:**        **Waters Puerto Rico, Inc.**

- According to the EDR database for zip code 00739 (Cidra) dated August 2, 2006, this facility is listed as a small quantity hazardous waste generator with ID: PRD980644611. No violations were listed.

**Question 10:**        Identify all leaks, spills, discharges or releases into the environment of any hazardous substances, hazardous wastes, industrial wastes, pollutants, or contaminants at or from the Cidra Industrial Park. In responding to this question, please provide the following information:

- a)        When such releases occurred;
- b)        How the releases occurred;
- c)        The amount of each hazardous substance, waste, industrial waste, pollutant, or contaminant released;
- d)        Where such releases occurred;
- e)        Any and all activities undertaken in response to each such release or threatened release, including the notification of any agencies or governmental units about the release;
- f)        Any and all investigations of the nature, extent or location of each release or threatened release including, the results of any soil, water (ground and surface), or air testing undertaken; and
- g)        All persons with information relating to these releases.

**PRIDCO Response:** PRIDCO does not have a substantial amount of information relative to this question, and believes that EQB may be a better source of these data. In addition, the industries which PRIDCO has identified in response to Questions 5, 6 and 8 may possess information which EPA is seeking here.

Nevertheless, based upon information accessed in PRIDCO's files, PRIDCO is providing EPA with the information it has located which is responsive to this Question. That information is set forth in response to Questions 9 and 12, which PRIDCO incorporates by reference into this response.

**Question 11:** If any tenant or entity operating within the Cidra Industrial Park has or had a RCRA I.D. number applicable to operations at the Cidra Industrial Park, please provide that number.

**PRIDCO Response:** The EDR database for zip code 00739 (Cidra) dated August 2, 2006 includes the following facilities and I.D. Numbers:

- Zenith Caribe Laboratories a/k/a IVAX Pharmaceuticals Caribe Inc. – PRD987377702
- Cidra Convention Center – PRN000204333
- CCL Labels de P.R., Inc. – PRR000008565
- Waters Puerto Rico, Inc. – PRD980644611

**Question 12:** Do you have any additional information or documents which may help EPA identify other individuals or companies which owned or operated the Cidra Industrial Park or any facility in Cidra, generally, at the time of disposal of any hazardous substances or who arranged for the treatment, or disposal of hazardous substances, hazardous wastes or industrial wastes at the Site? If so, please provide that information and those documents, and identify the source(s) of your information.

**PRIDCO Response:** PRIDCO's response to Question 9 provides information which might otherwise be included in response to this Question. PRIDCO is not repeating that information here but, instead, incorporates it by reference. Similarly, PRIDCO is not providing information or documents which it knows are in EPA's possession, such as the Expanded Site Inspection/ Remedial Investigation Report and the Hazardous Ranking System Documentation Package.

In an effort to be comprehensive and responsive, PRIDCO's response below provides information found in PRIDCO's files relative to facilities at the Cidra Industrial Park not previously discussed in this document.



It is essential to note that, based upon such information, there is no evidence which demonstrates that either the parcel on which the current ENCO facility is situated, which parcel PRIDCO sold in 1994, or the lot sold to Zenith Laboratories Caribe, Inc. in 2001, on which the former wastewater treatment plant (former Building No. T-1271-0-80) was located, served as a source of the contaminants of concern at the Site during the time of PRIDCO's ownership. Further, there is no evidence of any leaks, spills, discharges or releases into the environment of any such contaminants during the period of PRIDCO's ownership of those two parcels.

**ENCO Manufacturing Inc.**

- In 1993 ENCO submitted an environmental evaluation document to EQB to assess potential environmental impacts with the proposed action, which included the use of PRIDCO's Building T-0879-0-67 as a warehouse for storage of raw materials. According to the environmental document:
  - \* The following raw materials were listed as stored at the facility but not used at the site: calcium carbonate, titanium dioxide, snow tex, clay, nytal, berol, celite, bayferrox and silica.
  - \* No manufacturing activities will be conducted at the site.
  - \* No hazardous wastes or any other chemical wastes will be generated at the site.
- In 1996 ENCO submitted an environmental evaluation document to EQB to assess potential environmental impacts with a proposed action, which included expansion of an existing warehouse building at the former PRIDCO Building T-0879-0-67. According to the environmental document:
  - \* The following raw materials were listed as stored at the facility but not used at the site: calcium carbonate, titanium dioxide, snow tex, clay, nytal, berol, celite, bayferrox and silica.
  - \* No manufacturing activities will be conducted at the site.
  - \* No hazardous wastes or any other chemical wastes will be generated at the site.
- In March 2000 a Location and Environmental Questionnaire was submitted by ENCO to PRIDCO for an expansion of the distribution warehouse. The document indicated that:

- \* The expanded area will be added to the existing warehouse area and will only be used for the storage of finished products.
- \* No hazardous wastes or chemical wastes will be generated.

Copies of relevant information available from PRIDCO's files for ENCO Manufacturing are included in Appendix H.

**Former Wastewater Treatment Plant – Building No. T-1271-0-80**

In anticipation of the potential sale of the property on which a former wastewater treatment plant, Building T-1271-0-80, was located, an environmental consultant to the prospective purchaser, Zenith Laboratories Caribe, Inc., performed a Phase II assessment of PRIDCO's former waste-water treatment plant ("WWTP") site. Significantly, the report prepared following that Phase II assessment, a copy of which is attached as Appendix I, states:

- \* The investigation included relevant issues related to potential or existing environmental impact conditions at the property and relating to activities on surrounding properties
- \* At the property in question, no other facilities operated prior to the WWTP.
- \* Seven soil samples were collected within the property and analyzed for BTEX and TPH. According to a laboratory report, the samples were taken up to a depth of 6 feet.
- \* BTEX concentrations were below health-based standards but all samples showed TPH greater than 100 ppm. The report indicates, however, that these are false positives due to humidity and bio-degradation of flora on the soil.
- \* No other finding of an environmental impact of relevance was found during the consultant's inspection.
- \* The report recommended the removal of affected soils around the aboveground storage tank and recognized a leak of diesel fuel from the tank system.
- \* The report concludes that "there is no indication of other potential conditions present or activities of adjacent properties that may pose potential environmental risks to the subject property "

PRIDCO has reviewed available information in its files relating to former Building T-1271-0-80 and has found no information

indicating the release or discharge of any contaminants of concern at the facility during PRIDCO's ownership. Copies of relevant information found in PRIDCO's files for this building are included in Appendix J.

The following is a chronological description of such relevant information obtained from PRIDCO's files:

- The WWTP initiated operations in 1981.
- On September 30, 1980, EPA issued a NPDES permit for the WWTP. This permit required monitoring for the following parameters: flow, BOD5, TSS, COD, fecal coliforms, total coliforms, residual chlorine, DO, oil and grease, temperature, turbidity, color, chlorides, TDS, Total phosphorous, nitrate + nitrite.
- June 15, 1984 – Letter from Zenith Laboratories Caribe to PRIDCO, indicating that the green substance that has been observed discharging into the WWTP is the result of their industrial discharge of the cleaning operations of the equipment used to produce dipyridamole, a pharmaceutical drug used as a coronary vasodilator.
- January 9, 1986 – Letter from Francisco Torres to Mario Soto, both of PRIDCO, indicating that from 1981 to 1986 only one industry had been connected to the plant. Based upon other data in the files, the industry was Zenith Laboratories Caribe. The letter also indicates that since Zenith Laboratories Caribe initiated operations, they have been discharging a greenish substance into the plant.
- June 30, 1986 – EPA issued a renewed NPDES permit. The permit included the following parameters: flow, BOD5, COD, TSS, pH, fecal coliforms, total coliforms, residual chlorine, DO, oil and grease, temperature, turbidity, color, chlorides, TDS, Total phosphorous, nitrate + nitrite, chlorides, oil & grease, TDS, settleable solids, cyanide, fluoride, phenols, phosphate as P, sulfate, sulfide as S, surfactants, arsenic, barium, boron, cadmium, hexavalent chromium, total chromium, copper, iron, lead, selenium, silver, zinc and mercury.
- June 30, 1986 – EPA issued an order, indicating that the WWTP was in violation of the limits for color, TDS, total phosphorous, DO and residual chlorine. [There is no mention in the order regarding VOCs]. It also indicates that on February 5, 1986, EPA conducted a NPDES compliance inspection and found that Zenith Laboratories Caribe was discharging into the WWTP its wastewaters, including wastewaters resulting from the wash-down of processing rooms, equipment and spillage. The permit did not allow the discharge of industrial wastewaters.



- Letter dated September 18, 1986 from PRIDCO to Victor Trinidad of EQB, informing him that at that time the only industry discharging into the WWTP was Zenith Laboratories Caribe. The other lots within the industrial park were connected to PRASA
- January 29, 1987 – Letter from PRIDCO to Zenith Laboratories Caribe, indicating that the connection of their wastewater discharge into PRASA's system will be completed by February 1987.
- Letter from Diego Muñoz to Mario Soto, both of PRIDCO, submitting the NPDES laboratory data for the WWTP for March 7, March 14, March 22, and March 27, 1986. Parameters reported included chlorides, oil & grease, TDS, settleable solids, cyanide, fluoride, nitrate, nitrite, phenols, phosphate as P, sulfate, sulfide as S, surfactants, arsenic, barium, boron, cadmium, hexavalent chromium, total chromium, copper, iron, lead, selenium, silver, zinc and mercury.
- November 26, 1986 to April 28, 1987 – DMRs submitted to EPA, showing violation of the following parameters: TSS, Cd, Se, surfactants, silver, residual chlorine, BOD5, Cu and Zn.
- Letters from Mario Soto of PRIDCO dated July 7, 1987 and July 20, 1987, indicating that samples of the Pepsi Cola discharge into the WWTP exceeded the limits of metal compounds As, Ba, Boron, Cu, Fe, Pb, Hg and Phosphate.
- December 15, 1987 – Transmittal by EPA to PRIDCO of two inspection reports of the WWTP. They indicate that at the time of the inspections, two industries were connected to the plant: Zenith Laboratories Caribe Inc. and the Pepsi Cola Co. According to the EPA report, Pepsi Cola discharged their industrial waters to PRASA, and only sanitary wastewaters were discharged into the WWTP.
- June 27, 1989 – Memo from Ramón Sanabria to Rafael Fabian, both of PRIDCO, indicating that Zenith Laboratories Caribe has solicited purchase of the WWTP site in order to expand their facilities.
- July 21, 1989 – Memo from Diego Muñoz to Angel Colón, both of PRIDCO, indicating that the unauthorized discharge from Pepsi Cola was sampled on March 19, 1987, and showed exceedances of the NPDES limits for barium, copper, iron and lead. On July 2, 1987, another sample was taken, and it showed the same elements in excess of the limits as well as arsenic, boron, mercury and phosphate.

- August 10, 1989 – EQB issued an order to PRIDCO due to exceedances in the discharge limits for sulfides, sulfites, iron, zinc, copper, total phosphorous, DO and settleable solids.
- August 15, 1989 – Letter from PRIDCO to Pepsi Cola, ordering it to cease and desist the wastewater discharge into the WWTP.
- August 28, 1989 – Letter from EPA to PRIDCO, indicating that the WWTP had been in non-compliance for one or more of the following parameters in April, May, and June, 1989: BOD5, phenolics, fecal coliforms, total coliforms, Cu, Hg, Zn, Ag, Cd, As and TSS.
- September 7, 1989 – Letter from EPA to PRIDCO, requesting information regarding all discharges to the WWTP, to which PRIDCO responded that two users discharge to the WWTP: Zenith Laboratories Caribe and Pepsi Cola. PRIDCO identified Pepsi Cola as an unauthorized discharger.
- September 21, 1989 – Letter from EPA to PRIDCO, indicating that the WWTP was in violation of the limits for copper, phenols and mercury. The letter requested further information regarding the non-compliance.
- February 27, 1990 – A water sample collected by Zenith Laboratories Caribe of its wastewater industrial discharge was analyzed for: BOD5, COD, TSS, pH, oil and grease, settleable solids, cyanide, phenols, aluminum, cadmium, chromium, copper, iron, lead, manganese, mercury, nickel, selenium, silver, tin and zinc.
- June 1990 – PRIDCO prepared a summary of results for the month compared with the NPDES permit limits. The tables showed the exceedances of several parameters. The summaries for other months in 1988, 1989 and 1990 showed a similar pattern of parameter exceedances.
- October 11, 1990 – Letter from PRIDCO to EPA, indicating that the WWTP had ceased discharges into the creek.
- December 3, 1990 – Letter from EPA, submitting the results of a NPDES inspection conducted on November 29, 1990, indicating that the WWTP no longer discharges and that the Cidra Industrial Park is connected to PRASA.
- January 15, 1991 – Letter from Pepsi Cola, indicating that as part of an expansion in 1980, two bathrooms in the new warehouse area were connected to the WWTP. Pepsi Cola estimated that the connection was maintained until 1989.

- January 27, 1992 – Letter from PRIDCO to EQB, discontinuing air permit No. PFE-21-1285-0903-II-O for the WWTP emergency generator.

**Question 13:** Identify each person answering this Request for Information and state whether such person has personal knowledge of the answers. In addition, identify each person who assisted or was consulted in the preparation of the response to this Request for Information.

**PRIDCO Response:** The two primary persons who reviewed PRIDCO's file materials and other documentary information, spoke with PRIDCO personnel and others possessing relevant information, and performed related activities in order to assist PRIDCO in answering this Request for Information are:

- Raúl Colón, P.E.  
Caribe Environmental Services  
PO Box 5989  
Caguas PR, 00726-5189  
Tel: 787-286-2240
- John Greenthal, Esq.  
Nixon Peabody LLP  
Omni Plaza, Suite 900  
30 South Pearl Street  
Albany, NY 12207  
Tel: 518-427-2650

Neither Raúl Colón nor John Greenthal has personal knowledge of the information underlying the answers. Their information is derivative.

The persons who assisted or were consulted in the preparation of the response to this Request for Information are listed below. Except as otherwise indicated, they are PRIDCO personnel or, in one case, a PRIDCO consultant, whose address and telephone number are: Puerto Rico Industrial Development Company, PO Box 362350, San Juan, Puerto Rico 00936-2350, Tel: 787-758-4747.

**PRIDCO Personnel and Consultant:**

- Boris Jaskille
- Alfredo Pérez Zapata
- Jaime Riera
- Margarita Maldonado
- Mario Soto (Former PRIDCO Personnel and Current Consultant to PRIDCO)



- Ángel Rivera
- José Serrano
- Harold Carrasquillo
- Georgina Echeandia
- Luis Rivera

**Other Persons:**

- Jorge García, Esq.  
Martinez Odell & Calabria  
Banco Popular Center  
P.O. Box 190988  
Hato Rey, Puerto Rico 00918-0998
- Shirley Phillips  
Nixon Peabody LLP  
Omni Plaza, Suite 900  
30 South Pearl Street  
Albany, NY 12207

**CERTIFICATION OF ANSWERS TO REQUEST FOR INFORMATION**

State of Puerto Rico

County of San Juan :

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document (response to EPA Request for Information) and all documents submitted herewith, and that I believe that the submitted information is true, accurate, and complete, and that all documents submitted herewith are complete and authentic unless otherwise indicated. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. I am also aware that I am under a continuing obligation to supplement my response to EPA's Request for Information if any additional information relevant to the matters addressed in EPA's Request for Information or my response thereto should become known or available to me.

Affidavit no. 5-433



Ronis Sookille

NAME (print or type)

Rides Executive Director

TITLE (print or type)

SIGNATURE

Sworn to before me this

13 day of October, 2006.

[Signature]  
Notary Public

**Table for Responding to Question 5 of EPA Request for Information**

Lot No.*	Lot Area (Cuerdas)	Building No.	Lot Currently Owned by PRIDCO	Not Owned by PRIDCO	Current User by Field Observation
1	0.4598	VL		X	Police Station
2	1.3142	T-0606-0-66 T-0606-1-69 T-0606-2-90	X		
3	0.7405	VL		X	Cidra Convention Center
4	1.0151	T-0879-0-68		X	ENCO Manufacturing
5	3.8343	S-0757-0-66	X		
5-1	0.4303	VL		X	NA
6&7	2.5732	T-0871-0-67	X		
7-1	1.4262	VL		X	NA
8,13&14	5.6698	VL		X	Ivax
9&10	3.9837	VL		X	PepsiCo
11&12	1.8282	VL		X	PepsiCo
15	1.6000	VL		X	Ivax
16	1.6587	T-1271-0-80		X	Ivax
16-1	0.3163	VL		X	NA
17	2.0400	VL		X	Ivax
18&19	4.2215	S-1241-0-78		X	Ivax
18-1	0.3300	VL	X		
20&21	3.1508	VL		X	Apparently parking area used by PepsiCo and Ivax
20-1	0.2450	VL	X		
22	1.3115	VL		X	US Postal Office

Notes:

- \* - See Figure 1 for approximate location of lots
- VL – Vacant Lot at time PRIDCO sold it
- NA – Not available



**Table for Responding to Question 6 of EPA Request for Information**

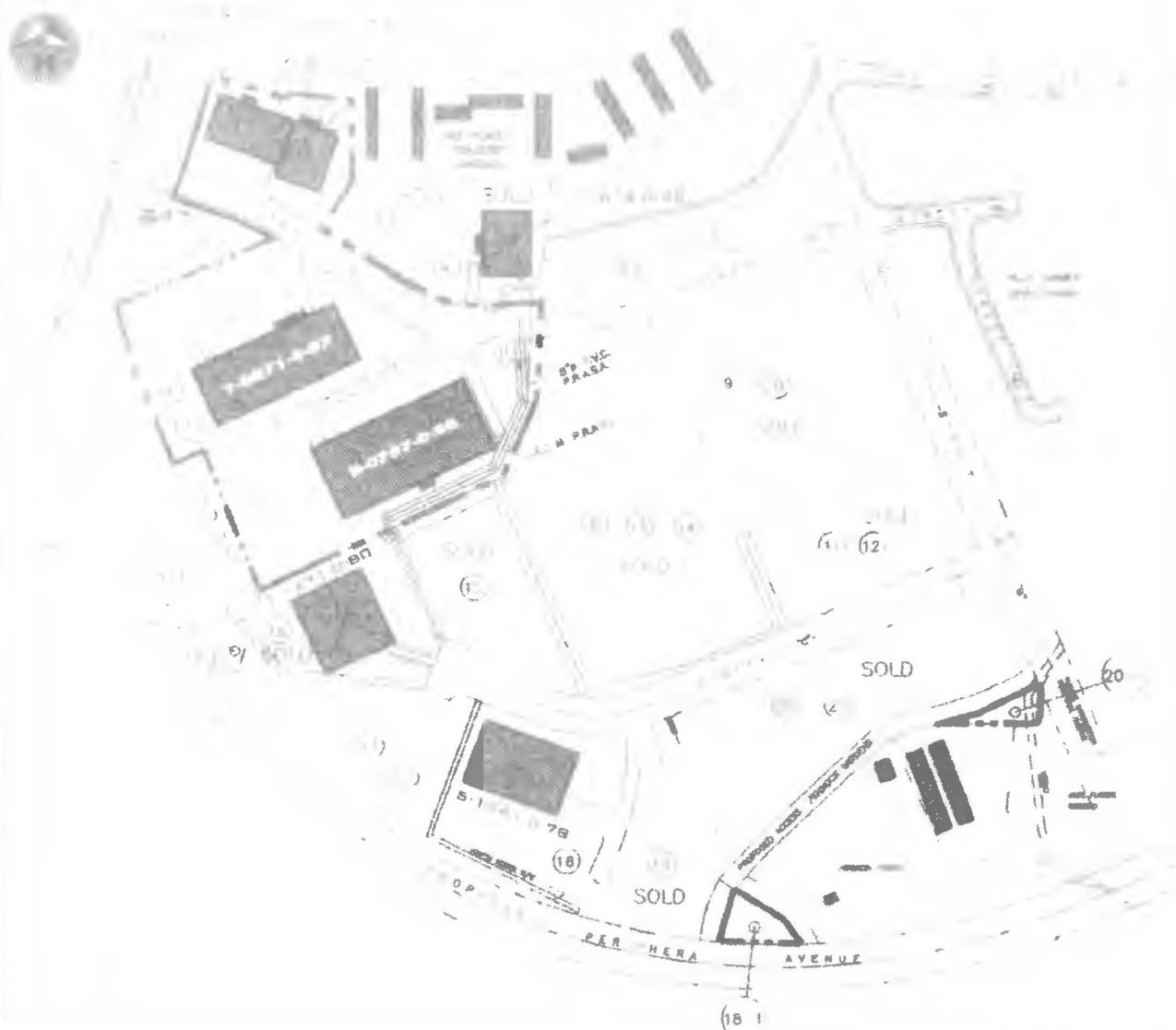
Lot No.*	Lot Area (Cuerdas)	Building No.	Lot Sold by PRIDCO	Name of Buyer (Approximate Date of Sale)	Deed of Sale Available and Provided?	Deed of Sale Not Available
1	0.4598	VL	Yes	Autoridad de Edificios Públicos (6/11/69)		X
2	1.3142	T-0606-0-66 T-0606-1-69 T-0606-2-90	No			
3	0.7405	VL	Yes	Sierra Instruments PR, Inc. (Data Design Laboratories) (5/30/78)		X
4	1.0151	T-0879-0-68	Yes	Enco Mft. Corp.	Yes. Deed No.5 Idalie Rivera Roig, June 28 1994	
5	3.8343	S-0757-0-66	No			
5-1	0.4303	VL	Yes	Inversiones L & R, Inc.	Yes. Deed No. 10 Edgardo Martínez Nazario, June 2, 1998	
6&7	2.5732	T-0871-0-67	No			
7-1	1.4262	VL	Yes	Cidra Convention Center	Yes. Deed No.23 Yamil Marrero, Esq., Sept 22, 1992	
8,13&14	5.6698	VL	Yes	Omark Antilles, Inc. (2/19/76)		X
9&10	3.9837	VL	Yes	Pepsi Cola Mfg.Co., Inc. (10/31/75)		X
11&12	1.8282	VL	Yes	Pepsi Cola Mfg. Co. Inc. (11/27/79)		X
15	1.6000	VL	Yes	Omark Antilles, Inc. (6/15/79)		X
16	1.6587	T-1271-0-80	Yes	Zenith Laboratories Caribe, Inc.	Yes. Deed No.3 Yamil Marrero, February 6, 2001	
16-1	0.3163	VL	Yes	Inversiones L & R, Inc.	Yes. Deed No. 10 Edgardo Martinez Nazario, June 2, 1998	
17	2.0400	VL	Yes	Zenith Laboratories Caribe, Inc. (8/12/86)		X
18&19	4.2215	S-1241-0-78	Yes	Waters Puerto Rico, Inc. (4/15/83)		X
18-1	0.3300	VL	No			
20&21	3.1508	VL	Yes	Omark Antilles, Inc. (6/29/82)		X
20-1	0.2450	VL	No			
22	1.3115	VL	Yes	Cidra Municipal Government	Yes. Deed No. 23 Edgardo Martinez Nazario, Esq., July 30, 1998	

Notes:

\* - See Figure 1 for approximate location of lots  
VL – Vacant Lot at time PRIDCO sold it

MUNICIPALITY OF CIDRA  
 2000 2002

L-274-0-63



**LEGEND:**

LOT LIMIT  
 PRIDCO PROPERTY LIMIT  
 BUILDING  
 ROADS OR CURB SIDE

**CADASTRE NUMBER**

MUNICIPALITY	MAP		BLOCK	PARCEL
	1:10,000	1:1,000		
44	275	045	003	00

SCALE: 1:2,000 REV. DATE: APRIL - 11 - 2003  
 QUANT. DATE: JUL/29/1971 CORRECTION: 1-1



**PRIDCO**



REQUEST FOR INFORMATION  
 CIDRA GROUNDWATER  
 CONTAMINATION SITE

CIDRA, PUERTO RICO

LOCATION MAP

PROJECT  
 NO. 06-0029

FIGURE 1

9/20/2006 9:40 AM

www.caribbeenvironmental.com

06-0029 PRIDCO Cidra Wells Fig Site Sket 2.dwg

R2-0004843